



APPENDIX A
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : **PATENT APPLICATION**
:
Paul Hanke, *et al.* : **POLYNUCLEOTIDE ENCODING**
: **A FEEDBACK RESISTANT**
: **ASPARTOKINASE FROM**
: **CORYNEBACTERIUM**
:
Serial No.: 09/722,441 : **Group Art Unit: 1652**
:
Filed: November 28, 2000 : **Examiner: Kerr, Kathleen M.**
:
Pittsburgh, Pennsylvania 15219
November 22, 2004

Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PETITION FOR WITHDRAWAL FROM ISSUE
UNDER 37 C.F.R. § 1.313(c)(2)

Sir:

Applicants hereby petition the withdrawal from issue under 37 C.F.R. § 1.313(c)(2) of U.S. Patent Application Serial Number 09/722,441 after payment of the issue fee was made on February 2, 2004, and file herewith a Request for Continued Examination.

A telephone interview with Examiner Kathleen Kerr on November 19, 2004 confirmed that the obvious errors in the as-allowed claims require correction of sequence identification numbers and such corrections are not appropriate for a post-issuance Certificate of Correction. Applicants hereby petition for withdrawal from issue under 37 C.F.R. § 1.313(c)(2) for consideration of the accompanying Request for Continued Examination and submit herewith a Preliminary Amendment to correct obvious errors in

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the as-allowed claims that would be inappropriate for a post-issuance Certificate of Correction.

By this Petition, Applicants respectfully request Withdrawal from Issue of their U.S. Patent Application Serial Number 09/722,441 and file herewith a Request for Continued Examination and Preliminary Amendment.

Respectfully submitted,



Dated: November 22, 2004

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